

DOCKET NO. D-92-49-2

DELAWARE RIVER BASIN COMMISSION

Ground Water Protected Area

**Waltz Golf Farm, Inc.
Surface Water Withdrawal
Limerick Township, Montgomery County, Pennsylvania**

PROCEEDINGS

This docket is issued in response to an application submitted by Waltz Golf Farm, Inc. on July 13, 2004 for the renewal of an allocation of surface water and review of a surface water withdrawal project in the Ground Water Protected Area of Southeastern Pennsylvania approved by the Delaware River Basin Commission (DRBC) on February 24, 1993. Condition "k." of the 1993 docket decision required that this project be reviewed within ten years of the date of approval, and unless renewed, the approval would expire.

The application was reviewed for approval under Section 3.8 and for a withdrawal permit under Section 10.3 of the *Delaware River Basin Compact*. The Montgomery County Planning Commission has been notified of pending action on this docket. A public hearing on this project was held by the DRBC on October 27, 2004.

DESCRIPTION

Purpose. The purpose of this project is to continue to supply up to 9.0 million gallons per thirty days (mg/30 days) of water from an existing man-made pond on Landis Creek as a source of irrigation supply to the docket holder's existing golf course. The proposed total allocation of surface water is not an increase in the existing allocation.

Location. The project intake is located in an existing man-made pond on Landis Creek, a tributary of Lodal Creek (itself a tributary of Perkiomen Creek) at River Mile 92.47-32.3-9.3-2.65-2.46. The intake pond is located just south of the intersection of Limerick and Ridge roads in Limerick Township, Montgomery County, Pennsylvania.

Area served. The surface water withdrawal serves water only to the docket holder's golf course.

Physical features.

a. **Design criteria.** The docket holder operates an 18-hole golf course situated on 165 acres. The existing maximum water demand is 0.30 million gallons per day (mgd), which is withdrawn from a pond on Landis Creek. Approximately 12 acres of greens, 6 acres of tees and 22 acres of fairways are irrigated using sprinklers operated by a computerized satellite controller. The computer control regulates the sprinkler heads to turn on and off at set times during non-peak morning or evening hours, between 7:30AM and 7:30PM. The docket holder does not anticipate an increase in demand within the next ten years.

Also located on the docket holder's property is a residential well that serves as a source of potable water supply to a small house, also on the property. The well is not used to irrigate the golf course and is not included in this allocation.

The docket holder proposes a maximum withdrawal during non-drought conditions of approximately 0.30 mgd, with a plan to reduce withdrawal to approximately 0.14 mgd (0.22 cfs) during low flow conditions in Landis Creek. The docket holder has submitted a construction and operation plan to monitor passing flow conditions. The streamflow will be monitored upstream and downstream of the withdrawal point. A steel weir set in concrete will be installed at both monitoring points. Whenever the flow below the intake is less than or equal to the passby flow of 0.13 mgd (0.20 cfs), the docket holder will cease withdrawal.

b. **Facilities.** The existing man-made intake pond on Landis Creek is approximately 1.35 acres and is estimated to store approximately 3.0 million gallons. The irrigation system is supplied via a pump station located downstream of the pond on Landis Creek. The pump station supplies up to 700 gallons per minute at a pressure of 120 psi. The irrigation water is dispersed to an eight-inch diameter water main, then to four-inch and six-inch branches on the fairways and two-inch branches on the tees and greens. There are 159 sprinkler heads on the fairways and 205 on the greens and tees. The system is entirely computer controlled.

FINDINGS

The project does not conflict with the Comprehensive Plan, and is designed to prevent substantial adverse impact on the water resources related environment, while sustaining the current and future water uses and development of the water resources of the Basin.

The DRBC estimates that the project withdrawals, used for the purpose of golf course irrigation, result in a consumptive use of 90 percent of the total water use. The DRBC definition of consumptive use is defined in Article 5.5.1.D of the *Administrative Manual – Part III – Basin Regulations – Water Supply Charges*.

DECISION

I. Effective on the approval date for Docket No. D-92-49-2 below, Docket No. D-92-49 is rescinded and replaced by Docket No. D-92-49-2.

II. The project as described in the Section entitled “Physical features” above is approved pursuant to Section 3.8 of the *Compact* and is granted this withdrawal docket pursuant to Section 10.3 of the *Compact* subject to the following conditions:

a. Docket approval is subject to all conditions, requirements, and limitations imposed by the PADEP, and such conditions, requirements, and limitations are incorporated herein, unless they are less stringent than the Commission’s.

b. During any 30-day period, the withdrawal from the intake shall not exceed 9.0 million gallons.

c. The project withdrawal shall not cause the streamflow to be less than 0.13 mgd at the point of taking. Whenever the streamflow below the intake is equal to or less than this amount, no withdrawal shall be made and the entire natural streamflow must be allowed to pass. The upstream and downstream weirs, as proposed by the docket holder in a letter dated September 16, 2004, shall be installed by April 30, 2005. The docket holder shall advise the Executive Director in writing of its compliance with this requirement.

d. The docket holder shall pay for surface water use in accordance with the provisions of Resolution 74-6, as amended.

e. The project withdrawals shall be metered with an automatic continuous recording device that measures to within 5 percent of actual flow. An exception to the 5 percent performance standard, but no greater than 10 percent, may be granted if maintenance of the 5 percent performance is not technically feasible or economically practicable. A record of daily withdrawals shall be maintained, and monthly totals shall be reported to the Bureau of Watershed Management, PADEP annually and shall be available at any time to the Commission, if requested by the Executive Director.

f. The docket holder shall implement to the satisfaction of the Bureau of Watershed Management, PADEP, a drought or other water supply emergency plan.

g. The docket holder shall implement to the satisfaction of the Bureau of Watershed Management, PADEP, a continuous program to encourage water conservation in all types of use within the facilities served by this docket approval. The docket holder will report to the Bureau of Watershed Management, PADEP, on the actions taken pursuant to this program and the impact of those actions as requested by the PADEP.

h. Nothing herein shall be construed to exempt the docket holder from obtaining all necessary permits and/or approvals from other State, Federal, or local government agencies having jurisdiction over this project.

i. The area served by this project is limited to the service area as described above. Any expansion beyond this area is subject to review in accordance with Section 3.8 of the *Compact*.

j. This docket approval will expire on the expiration date indicated below unless the docket holder has submitted a complete application for renewal of this docket 12 months prior to the expiration date below, or permission has been granted by the DRBC for submission at a later date. In the event that a timely and complete application for renewal has been submitted and the DRBC is unable, through no fault of the docket holder, to reissue the docket before the expiration date, the terms and conditions of this docket will automatically continue and remain fully effective and enforceable pending the grant or denial of the application for docket approval.

k. The docket holder shall incorporate and implement reasonable conservation practices and measures consistent with efficient utilization of water resources.

l. The issuance of this docket approval shall not create any private or proprietary rights in the water of the Basin, and the Commission reserves the right to amend, alter, or rescind any actions taken hereunder in order to insure the proper control, use, and management of the water resources of the Basin.

m. If the operation of this project significantly affects or interferes with any domestic or other existing wells or surface water supplies, or if the docket holder receives a complaint by any user of wells or surface water supplies within the zone of influence of the withdrawal, the docket holder shall immediately notify the Executive Director of any complaints by users of wells or surface water supplies within the zone of influence of the withdrawal, and unless excused by the Executive Director, shall investigate such complaints. Any well or surface water supply which is substantially adversely affected, or rendered dry or otherwise unusable as a result of the docket holder's project withdrawal, shall be repaired, replaced or otherwise mitigated at the expense of the docket holder. A report of investigation and/or mitigation plan prepared by a hydrologist shall be submitted to the Executive Director as soon as practicable. The Executive Director shall make the final determination regarding the validity of such complaints, the scope or sufficiency of such investigations, and the extent of appropriate

mitigation measures, if required. The Executive Director may modify or suspend this docket approval, or require mitigating measures, pending additional review.

n. For the duration of any drought emergency declared by either Pennsylvania or the Commission, water service or use by the docket holder pursuant to this approval shall be subject to the prohibition of those nonessential uses specified by the Governor of Pennsylvania, the Pennsylvania Emergency Management Council, PADEP, or the Commonwealth Drought Coordinator, to the extent that they may be applicable, and to any other emergency resolutions or orders adopted hereafter by the Commission.

BY THE COMMISSION

APPROVAL DATE:

EXPIRATION DATE: October 27, 2014